

1893-053  
Lee Co.

Chancery Causes: C. C. Worley & wife & vs. John C. Daugherty &

Hobbs, Loyd

Ch-Estate Dispute  
T-Property

Will: 1875 : Robinson Daugherty : Lee County



To the Hon. W. S. K. Morrison Judge of the  
Circuit Court of Lee County Virginia.

Humblly Complaining your orators and  
Oratrices, C. C. Worley & Lydia Worley his  
wife, W. S. G. Hobbs & Hetta Hobbs his wife  
would respectfully represent, that  
Robinson Daugherty, the father of the  
female complainants, departed this life  
in said County on the      day of      1875,  
after first having made and published  
his last will and testament, by which  
he disposed of a valuable real & person-  
al estate. Said will was, after the testa-  
tor's death, duly admitted to probate in  
the County Court of said County, a copy  
of which is herewith filed as part hereof  
marked "Exhibit A". It will be seen by  
reference to said exhibit A, that the testator  
by his said last will and testament, be-  
queathed & devised <sup>all his personal & real estate</sup> to his five sons, to wit:  
Martin L Daugherty, John C Daugherty, Rubin  
Daugherty, James M Daugherty and Levi  
Daugherty, with the positive understanding  
that they should pay all his just debts  
and further that they should pay to his  
three daughters, as they should become  
of age, to wit: - Lavinia Daugherty, Hetta  
Daugherty, now ~~Hobbs~~ <sup>Hobbs</sup> ~~Worley~~, and one of your



honor's Complainants, and Lydia Daugherty  
now Worley, and the other female Complain-  
ant, the sum of two hundred dollars each.  
Complainants will further represent and  
shew unto your honor that your Complain-  
ant Hetta Rohls arrived at the age of 21  
years on the 1st day of May 1884, but  
has only received on her said legacy  
the sum of \$140<sup>00</sup>, that your Complainant  
Lydia Worley was 21 years of age Nov  
6th 1891. and has received nothing on her  
legacy under said will; that they are  
advised that the sums bequeathed them  
respectively, by said testator, is a charge  
upon the real estate devised by him  
to his said sons, and that they have  
the right to have said real estate, or a  
sufficiency thereof, sold to pay said lega-  
cies; that the said real estate consists of  
a valuable farm in said County, on Station  
Creek, adjoining the lands of Dr. Silas  
Shellhorn & others, containing 200 acres,  
more or less, and is now owned by the  
<sup>said</sup> John C. Daugherty, James M. Daugherty and  
<sup>his wife</sup> A. L. Loyd, the said Loyd probably having  
purchased the interest of Rulin Daugherty.  
The object therefore of this bill is to recover  
from the said John C. Daugherty, James M.

Mineral



Miriam A. Loyd wife of  
Daugherty & A. L. Loyd the respective sums  
due the female Complainants on account  
of said legacies, and if not otherwise paid  
to have the same made a charge upon  
said real estate. To this end your Complain-  
ants make the said John B. Daugherty  
James M. Daugherty & <sup>Miriam A. Loyd</sup> A. L. Loyd the parties  
defendants to this bill, and ask that they  
answer the same on oath, and that on  
a hearing a decree be rendered subjecting  
said real estate to the payment of said  
legacies, and for such other and further  
relief as to your honor may seem meet.  
May process issue directed &c. And your  
Complainants will ever pray &c.

James W. Orr, p. q.



6 8.71  
 15.00  
 8 2.00  
 \$ 25.71  
 Estimate

C. C. Worley et als.  
 vs Bill in Chy.

John C. Daugherty et als.  
 1892 2<sup>nd</sup> Term Rules

Bill filed Spaid  
 on some of Defts

" 1<sup>st</sup> March Rules Spaid  
 Exd on acc Defts

" Decree nisi

" 2<sup>nd</sup> March Rules Contd

" 1<sup>st</sup> 2<sup>nd</sup> Apr. Rules Contd

" 1<sup>st</sup> May " "

" 2<sup>nd</sup> " " Decree nisi

Cause & cause set  
 for hearing by  
 Plaintiff

" June Decree for sale  
 and Continued

1893 June Term

Decree final

O.B. 4.80



C. C. Worley et als.

Plff's

against

John C. Daugherty et als. Dfts } In chg.

This cause came on again to be heard upon the papers formerly read in the cause, and it being admitted by Plff's Counsel that the amounts decreed in this cause to the female plaintiffs, together with the costs of this suit have been fully paid without a sale of the real estate, it is ordered that the cause be stricken from the docket.



L. C. Worley et als.

vs { Final Order

John C. Daugherty et  
als

Entered on Chy B O

Page 480,

June 7, 1893

John A. Hyatt

Enter this Order

~~H. S. K. M.~~

June 7, 1893,



C. C. Worley + others, Plffs

against

John C Daugherty et als. Defts

In Chancery.

This cause came on to be heard upon the bill of plaintiffs and exhibit there-with & the process duly executed on the defendants, and was argued by Counsel. On consideration whereof, and it appearing to the Court that the Cause has been regularly matured at rules and set for hearing by the plaintiffs, and the defendants <sup>the bill is taken for confessed against them &</sup> failing to appear, it is adjudged, ordered and decreed that the plaintiffs Lydia Worley recover against the defendants John C Daugherty, James M Daugherty + Minerva A Loyd the sum of \$200<sup>00</sup>, with legal interest thereon from the 6th day of November 1871, until paid; and that Hetta Hobbs recover from the same parties the like sum of \$200<sup>00</sup> with interest thereon from the 1st day of May 1884 until paid, subject to a credit of \$41.40 November 27th 1884, \$51.50 January 16th 1885 and \$51.50 January 16th 1885, and that these sums are liens upon the land in the bill & exhibit "A" mentioned, And it is further adjudged, ordered and decreed that the plaintiffs recover from the said defendants their costs by them in this behalf



expended, and regardless the above sums  
and costs are paid within 20 days from  
the adjournment of this Court, then J. W.  
Orr who is hereby appointed a Commis-  
sioner for the purpose will proceed to sell  
the said land or so much thereof as will  
be necessary to pay and satisfy the above  
recoveries and costs of this suit and ex-  
pense of sale, for cash in hand, having  
first advertised said sale, for at least  
thirty days, by written advertisements  
posted at the front door of the Court house  
of this County and in the neighborhood  
of said land, said Commissioner will,  
before selling, execute bond before the  
clerk of this Court in the sum of \$400<sup>00</sup>  
conditioned according to law, and will  
report his action to this Court. And the Cause  
is continued.

C. C. Warley et al.

vs } Decree

John C. Danforth et al.

Entered page

407, in ch. 4, 20.

June 8<sup>th</sup> 1892

J. P. G. W. M. D.

Twenty dollars part  
of this decree & the  
legal fee of \$15.00,  
belongs to James W. Orr  
for P. O. fees.

June 9<sup>th</sup> 1892.

James W. Orr.

Enter this decree.

H. A. W. M.

June 9<sup>th</sup> 1892.



I, Robinson Daugherty of the county  
of Lee and State of Virginia being  
of sound mind and conscious of  
the declining state of my health do  
herein publish and make this my  
last will, and testament, hereby  
revoking all others made by me  
heretofore viz: I do hereby as witnessed  
by my signature below, signed in  
the presence of the witnesses thereto  
annexed, will and bequeath to my  
five sons to wit: Martin L. Daugherty,  
John C. Daugherty, Reuben Daugherty,  
James M. Daugherty, and Levi Daugherty,  
all of my real and personal property  
which I now possess, to be equitably  
divided between them when the  
youngest son arrives at the age of  
twenty one years with the positive  
understanding that they shall at  
the earliest day practicable pay all  
my just debts, and further, that  
they shall pay to my three daughters  
(as they become of age) to wit: Lavinia  
Daugherty, Hetta Daugherty & Lydia  
Daugherty the sum of two hundred  
dollars each. And it is further  
my last will and testament  
that my wife Lucinda shall



and possess her dower interest including the mansion house, and land surrounding during her widow hood, my reasons from rejecting from this my last will my son David Daugherty & my Daughter Mary Daugherty (now Mary Stewart) is that they have heretofore received as I deem a proportionate part of my estate taking all <sup>the</sup> surrounding circumstances into consideration. Witness my hand and seal this 17th day of July 1875.

Robinson Daugherty ~~and~~

Attest A. L. Lloyd.

E. B. Larmer. Seal.

D. V. Larmer

Virginia.

At a Circuit Court begun and held for Lee County at the Court house thereof on Thursday the 26th day of Aug. 1875.

The last will and Testament of Robinson Daugherty decd. was this day produced in Court and proved by the oaths of E. B. Larmer & D. V. Larmer two of the subscribing



witnesses thereto and is ordered to  
be recorded.

Attest Test John R. Gibson D. C.

Copy of the Record.

Test John R. Gibson clerk



Robinson Doughterty  
Copy of Last Will.

A

Fee for copy .50



Nettie Halles - May 1st 1884 - \$200 -

1/3 to John C Daugherty	66.66 2/3
Int to July 15th 1885 -	2.83 1/3
Cr " 15th 1885 -	<u>69.50</u>
	51.50
Int to Aug 6th 1892 -	<u>18.00</u>
	8.20
	<u>\$26.20</u>

1/3 to James M Daugherty	66.66 2/3
Int to July 15th 1885 -	2.83 1/3
Cr " 15th 1885 -	<u>69.50</u>
	51.50
Int to Aug 6th 1892 -	<u>18.00</u>
	8.20
	<u>\$26.20</u>

1/3 to Rubin S Daugherty or Loyd	66.66 2/3
Int to Nov 27/84	2.38
Cr Nov 27/84	<u>68.96</u>
	41.40
Int to Aug 6/92	<u>27.56</u>
	12.70
	<u>40.26</u>
Total	<u>40.26</u>

Lydia Norley - Nov 6th 1891 - \$200.00

1/3 to John C Daugherty	66.66 2/3
Int to Aug 6th 1892	3.00
	<u>69.66 2/3</u>

1/3 to James M Daugherty	66.66 2/3
Int to Dec 23rd 1891 -	.50
Cr " " "	<u>67.16 2/3</u>
	58.50
Int to Aug 6/92	<u>11.66 2/3</u>
	.44
	<u>12.10</u>

1/3 to Rubin S Daugherty or Loyd	66.66 2/3
Int to Aug 6/92	3.00
	<u>69.66 2/3</u>
	69.66 2/3
Total	<u>\$157.43</u>

John C Daugherty to Nettie	26.20
Same " Lydia	69.66 2/3
1/3 Costs of suit	<u>95.86 2/3</u>
	7.57
	<u>\$103.43 2/3</u>

(over)



C. C. Worley & others  
vs  $\frac{1}{2}$  Calculation

John C. Daugherty & others  
Collected from (Aug 6/92)  
J. C. Daugherty \$14.23 $\frac{2}{3}$   
James M. D. - 8.59  
A. L. Loyd - 15.00  
\$ 37.82 $\frac{2}{3}$

James M. Daugherty  
for Lydia Worley  
paid Nov 7th 1892 10.00

By John C. Daugherty  
for Mrs. Glabe & her part  
Costs Decr 26/92.  
\$15.29

By John C. Daugherty  
for James M. D. - gener-  
ally Decr 26th 1892.  
\$11.00

John C. is to settle  
with Worley.  
Jas. M. D. arr. costs  
bal in full.  
Jan'y 3/93.

James M. Daugherty to Nettie \$ 26.20

to Joseph 12.10  
 $\frac{1}{3}$  costs 7.57 add 1.00  
Total \$ 45.87

William S. Daugherty or charged to gift. 69.66 $\frac{2}{3}$   
Same to Nettie - 40.26  
 $\frac{1}{3}$  costs 7.57 add 1.00  
\$ 117.49 $\frac{2}{3}$



26.20

12.10

8.57

46.87

8.59

10.00

17.00

11.00

46.59

46.59

.28

.25

.53

\$ 37.82

10.00

15.29

11.00

30

74.41

65.84

8.57

25.71

20.00

20.13

65.84



As order I will send  
you the amount that  
I reserved ~~from~~ that was  
willed to me by my father  
& they paid me 100 and 52  
dollars and a quarter  
the balance you can pay  
to William Hobbs  
Hetty Hobbs

Received of James W. Orratt, Ten  
dollars <sup>& 76 cts</sup> in full due my wife  
from John C. Daugherty, Dec 26/92.  
W. C. <sup>W. C.</sup> Hobbs.  
mark

Witness  
John C. Daugherty  
Also bal due from James W. Daugherty  
about 18 dollars. Dec 26/92  
Witness  
W. C. <sup>W. C.</sup> Hobbs  
mark  
John C. Daugherty



Nettie Ho. 21st



Dec 26/92  
John C. D.

\$26.20  
7.57

---

\$33.77  
14.233

---

19.543  
5.25-3 Hags

---

14.29 Cotts addn  
by cash 18.29 Retained

Longhorn m. H.  
Dec 26/92

2.77  
1.50

.80

1.48

1.00

---

7.55

2.30

2.70

2.70

.50

1.50

.50

5.00

10.00

---

32.95-

1.5-

---

47.95-

40.26

8.57

---

48.83

47.95-

1.88



A

$$\begin{array}{r} 3 \\ 4.3 \ 20 \\ \hline 816 \ 40 \end{array}$$

$$\begin{array}{r} 40 \\ 120 \\ \hline 38 \\ 220 \\ \hline 320 \end{array} \quad \begin{array}{r} 8.3.20 \end{array}$$

18

14

18

36



25.71  
20.00  
 45.71  
 37.82  $\frac{2}{3}$   
7.88  $\frac{1}{3}$

14.59  
1.00

15.59

Hobbs  
 26.20  
10.00 Fee  
 16.20  
 5.25 = Dogs  
10.95

12.85-  
10.00  
 22.85-

26.20  
8.57  
 34.77  
14.23  
 20.54  
5.25-

26.20  
10.00  
 16.20  
5.25-

James ~~26.20~~ 5.29

10.95-  
 To Hobbs.

26.20  
8.57 casts Deer 26/92

34.77  
8.59 cr

26.18  
17.00 initiative

9.18 to Mrs Hobbs  
 12.38 to Mrs Harley

To Hobbs.  
 from John  
 \$10.95-  
 9.18  
20.13

21.33  
17.00 cr Deer 26/92  
 \$10.33  
10.00 cr Nov 7/92  
 38 Baul.



# Calculation

Dec 26/92. Orr has collected.

\$ 37.82  
 15.29  
 11.00  
 10.00

Has Paid 74.11

Costs. 25.71

Fee - 20.00 -

Holbe 20.13 65.84

In hand 8.27

Dec 26/92

Amount due Holbe

From John D. 26.20

John 26.20

Lloyd 40.26

Repaid \$ 92.66

Lloyd 32.95 -

John 17.00

John 6.25 -

Orr 20.13

Fee 10.00 -

\$ 85.33 85.33

Total due H 7.33

Dec 26/92.

In Orr's hands 8.27

to be paid H - 7.33

94

Due from L

88

For Mrs H - \$ 1.82



1893 Jan 3rd.

~~From James A. Dougherty~~

" John C. Dougherty

~~Just over.~~

" 11 Aug 6/92

69.66  $\frac{2}{3}$

Int to Jan 3rd / 823

1.66  $\frac{2}{3}$

or to Worley.

~~71.33  $\frac{2}{3}$~~

26.00

45.33  $\frac{1}{3}$



Err Collect

37.82

15.29

11.00

10.00

1.30

74.41

65.84

8.57

7.33

1.24

7.33

.88 L.

H - \$6.45-

8.57 In Arr's Lane

6.45 For H.

\$ 2.12 For H.

.60 Road Claim

\$ 2.72



Hettie Hobbs has  
been paid by  
Rulim S Daugherty  
Nov. 27th 1884

~~11~~ 1.40

+ from John C. D -  
Jan'y 16th 1885 - 51.50

92.90

J. C. D. 7.00 +  
99.90

Leydia Worley.  
from John C. D.

Martin L. died. Dec  
1876.

Lena died -

+ from Jas M D -  
Jan'y 16th 1885 - 57.50

+ Deer 23/91 157.40  
7.75 -

Leydia Worley.  
From James M. D -  
Deer 23th 1891.

\$56.00

from John C. 5.00 +  
Feb 13th 1892 61.00



pending in said circuit Court wherein I  
 am plaintiff and you are defendants,  
 and if from any cause the taking of said  
 depositions is not commenced on that day,  
 or if commenced is not completed on that  
 day, the taking of the same will be adjourned  
 from day to day and from place to place  
 until completed.

Nov 7th 1889.

Respectfully,

Sarah Milburn,  
by Counsel.

$$\begin{array}{r}
 1210 \\
 \underline{24} \\
 30
 \end{array}$$

$$\begin{array}{r}
 45.33\frac{1}{3} \\
 \underline{7.36} \\
 38
 \end{array}$$

$$\begin{array}{r}
 45.2.70 \\
 \underline{1.75} \\
 43.45
 \end{array}$$

$$\begin{array}{r}
 105 \\
 \underline{35} \\
 175
 \end{array}$$

$$\begin{array}{r}
 45.2.70 \\
 \underline{90} \\
 22 \\
 \underline{1.12} \\
 46.33 \\
 \underline{47.45}
 \end{array}$$



# The Commonwealth of Virginia.

To The Sheriff Of Lee County Greeting:

We Command You to Summon

*Minerva A. Loyd*

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in *March* next, being rule day to answer a bill in Chancery exhibited in our said Court

against

*her & others* by *L. L. Worley and*  
*Lydia Worley his wife, W. S. & Hobbs*  
*and Hetta Hobbs*

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.

This *6<sup>th</sup>* day of *February* 18*92*, in the 11*th* year of the Commonwealth.

*J. A. G. Hyatt* Clerk.

A Copy Teste



THE COMMONS OF GREAT BRITAIN

To the Sheriff of Lee County, Virginia

Q. C. Harlow

3 Spain they  
res 3  
Mineral A. Lloyd & others

Minerva A. Lloyd & others

Le 1<sup>er</sup> March Reclus 1892

Executed by Delivering  
an officer Captain

*[Faint, illegible handwriting]*

The 16<sup>th</sup> 1892

at 5 O'clock P.M.

Lo. Ch. Wade Deputy  
P & M

per C. C. Manary  
of L. C.

18 \_\_\_\_\_





# The Commonwealth of Virginia.

To The Sheriff Of Lee County Greeting:

We Command You to Summon

*John C. Daugherty,*  
*James M. Daugherty and A. L. Loyd*

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday  
in *February* next, being rule day to answer a bill in Chancery exhibited in our said Court

against

*them* by *C. C. Warley and*  
*Lydia Warley his wife, U. S. H. Hobbs*  
*and Hetta Hobbs his wife*

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.

This *26<sup>th</sup>* day of *January* 18*92*, in the 11*6* year of the Commonwealth.

*J. A. G. Hyatt* Clerk.

A Copy Teste



1 M. O

C. C. Worley et al

vs 3 Spain  
3 Chance

John C. Daugherty et al

Lo 2 Feby. Rules 1892

Executed by  
Delivering an office  
copy to John C.  
Daugherty. and

A. L. Loyd and  
James C. Daugherty  
not being found  
at their place of  
abode. I read and  
explained the full  
purports of this  
summon to them  
being then being  
over the age of six-  
teen years.

this Feb 11th 1892  
at 9 O. clock A.M.  
L. M. Wade Deputy  
for C. C. Flannery  
S. L. C.